

# Holland & Knight

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September 27, 2021

*Via ECF*

Honorable Taryn A. Merkl  
United States Magistrate Judge for the Eastern  
District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *Wilmington Trust, N.A., as Securities Intermediary v. Herman Segal*  
Civil Action No. 1:21-cv-01540-PKC-TAM  
Letter Update

Dear Judge Merkl:

I regret that we are unable to provide a joint status update, as directed by Your Honor's August 4, 2021 text Order, as the Defendant, Herman Segal, has not appeared in this action, and has not been responsive to our attempts to reach him. Though we were recently in contact with a relative of his, a niece, who was initially cooperative, family contacts have since gone silent. We are therefore conducting discovery to support Securities Intermediary's claims in this action and plan on moving the Court for entry of a default judgment by the end of November 2021.

As a brief statement of context: Plaintiff Securities Intermediary is the beneficiary of two life insurance policies with a combined \$10 million death benefit, insuring the life of Lilly Segal. The policies were taken out by Defendant Herman Segal, and Securities Intermediary purchased them on the life settlement market years after the policies had been issued. Lilly Segal died in 2018; however, Defendant Herman Segal has *intentionally* taken efforts to obfuscate the fact of her death. For example, a year before Lilly Segal passed away, she (purportedly) applied for a name change in New Jersey Superior Court, changing her name to Sprinta Berger. It was under this name that Herman Segal (using the name Hershel Segal) had his mother buried in 2018, in a grave that remains unmarked, and from which the cemetery's generic marker has been removed. It was under that name that Herman Segal had her death certificate issued, intentionally using an incorrect social security number and birthday. Mr. Segal has a long history of fraud, forgery, and other criminal conduct. Mr. Segal has taken the actions at issue in this case in an effort to interfere with Securities Intermediary's efforts to collect the death benefits. Mr. Segal did so because he

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was seeking hundreds of thousands of dollars in exchange for the information necessary to allow the insurance carrier to process the claim for the death benefits; his request for such payment was rejected. Consequently, Mr. Segal forced Securities Intermediary to file this action. Securities Intermediary is close to having discovered and gathered all of the evidence necessary to move this case to a final judgment.

We thank the Court for its patience, and advise that we are available should Your Honor have any questions.

Sincerely yours,

HOLLAND & KNIGHT LLP

/s Katherine A. Skeele  
Katherine A. Skeele

Cc: Defendant, *via* U.S. Mail at 1535 East 17th Street, Apt 4R, Brooklyn, NY 11230